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May 12, 2023

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Via ECF

Hon. Ronnie Abrams
District Judge
United States Courthouse
40 Foley Square
New York, NY 10007-1312

Re: *Venture Group Enterprises, Inc. v. Vonage Business Inc.*,
No. 1:20-cv-04095-RA-OTW

Dear Judge Abrams:

Write in response to Venture's Letter Motion to Seal (ECF 230) certain documents submitted with Venture's Supplemental Brief in Opposition to Vonage's Motion for Summary Judgment (ECF 226) (the "Opposition") and in accordance with Rule 5.A.iii(i) of this Court's Individual Rules of Practice in Civil Cases.

As stated in Venture's Letter Motion to Seal, on May 8, 2023 at 7:44 p.m. EST, Venture emailed counsel for Vonage asking whether Vonage would agree to de-designate seven documents produced by Vonage that were previously marked "confidential" under the Protective Order, and that Venture intended to file in its Opposition later that evening. Vonage's counsel informed Venture that, due to the timing of the request, we were unable to consult with our client and provide an answer that night but would resolve the sealing issues promptly and in accordance with this Court's Individual Rules of Practice.

On May 9, 2023, Venture filed the Letter Motion requesting to file under seal six of the seven documents identified in its May 8, 2023 email. Venture also filed under seal three additional documents produced by Vonage that were not identified in Venture's May 8, 2023 email to Vonage. The sealed documents include Exhibits 61-62, 64, 73-76, 78 and 83 to Joseph Boyle's Declaration in Support of the Opposition (ECF 229) (the "Opposition Documents"). Vonage has reviewed the Opposition Documents and agrees to de-designate

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them as “confidential”. Accordingly, Vonage hereby consents to the unsealing and filing of the Opposition Documents on the public docket.

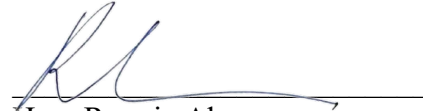
Respectfully submitted,

/s/ David J. Fioccola
David J. Fioccola

cc: all counsel of record via ECF

On consent of the parties, and consistent with *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), the Clerk of Court is respectfully directed to unseal Exhibits 61-62, 64, 73-76, 78, and 83 attached to Joseph Boyle's Declaration at ECF No. 229.

SO ORDERED.

A handwritten signature in blue ink, appearing to be 'RA', is written over a horizontal line.

Hon. Ronnie Abrams
September 27, 2023